ML 1905 p18

Previous references

Rul 24-04
Rul 22-07

1908

File No. 22

Serial Nos. 1 to 4

Later references

ML 121-09
(1-2) Rupl 121-09 (3, 4, 6 & 10)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 - 4

Part B for Octr 1909

SUBJECT

Petition of Narasimha Sastri, Purohit of Dakshi Narasabba's family, Mysore city.

From Narasimha Sastri, Mahajanagrahara, dated Octr 1909 -

States that his house in Daksha Narasabba's agrahara at Mysore was put in possession of one vid. entitled Dirt, and prays that early orders may be issued in the matter and that rent at the rate of Rs 6/- per month now being realized on each house may be ordered to be paid to him from the time when the house was put in possession of the vid.

G. R. S. 58

To the Rul. Pratt Mysore No. 5354 dated 4.11.09 calling for a report on the matter

G R.S 11] 1905

GENERAL AND REVENUE SECRETARIAT

(Jud)

NOTES.

File No. 223-05

FILE HEADING

Petition of Narasimha Shastri, Purohit of Bakshi Narasappa's family, Mysore City.

From

Narasimha Shastri, residing at Nanjangud

No Dated Received 17-11-05

Diary No. 3412 Enclos Spare Copies Serial No 1

BRIEF ABSTRACT OF LETTER.

States that his house in the Bakshi Narasappa's Agrahar at Mysore was put in possession of one not entitled to it and prays that the early orders may be passed in the matter and that rent at the rate of Rs 8- per month may be ~~made~~ ordered to be paid to him from the time the house was put in possession of another.

NOTES AND ORDERS

The former petitions on this subject were forwarded to the President Mysore City Municipal Council

L.P. file 2 For previous history please see File 155-05 Judicial

3 It is not known whether a suit was filed against Kukaramachar (the person whom the petr alludes to)

NOTES—First sheet

GPB—30,000—3-4-07

G. R. S 12]
General and Revenue Secretariat

File No. 223 of 1908

Serial No	
	who has been allowed to occupy a full house instead of ⅓ of a house, for which he is a claimant. This petition may be forwarded to the Collr for report as to how the matter stands at present.
	Draft submitted accordingly.
	27/11 28.11.08
2	5 Docket No 8354 dated the 4th December 1908 to the Municipal President.
	Report called for.
	Forwards the petition (Pl 1) and enquires how the matter stands at present.
3	6 Letter No 8 dated the 21st July '09 from the Municipal President.
	States, in reply, that all attempts to settle the claims of Narasimha Sastri and of Cowsik were to no purpose as he failed to comply with the terms of the agreement to take his shares in both the houses along with Ramanuja and Venkammachar, and that he considers it best in the circumstances, as suggested by the Rangarengar, to refer the parties to seek remedy in a Court of Law, and solicits further instructions in the matter.
	Submitted for orders.

Note—Contn sheet.

R. 5 12]
General and Revenue Secretariat

ML File No 223 of 1908

Serial No

is respectfully invited to the Govt. Advocate's opinion in the office notes & the linked file No 155-'07 and orders issued thereon as also to previous correspondence in Numb. 569-'05.

MGA 8 The advice offered
29/7/09 by Mr Rangachar to the Municipality is that Narasimha Sastry be referred to seek his appropriate remedy in a Civil Court by means of a suit filed against Venkanna Chetty and Murching Ramanna and ~~mortga~~ his mortgagors and assignees. To do so would seem to be unfair, and inequitable, ~~and unreasonable~~ ~~and improper~~.

9 The papers now put up do not show how the houses of the old Bakshi Narasappas Agrahar were acquired, whether under the Land Acquisition Regulation or under any contract with the owners of those houses. It is plainly the duty of the authorities who took the houses to give the owners in-

sheet

Serial No

return what they agreed to receive or what they are entitled to claim. It seems that the authorities should clearly state to the petitioner what they are willing & and ready to give him,— if it be portions of different houses, how much of what house and on what side. If the petitioner should accept the offer, then the authorities should put him in possession of the property.

W The petitioners request all along has been to grant him one full house each in the new Agrahar in lieu of what was taken from him, viz one-third share in one and two-thirds share in another of the old houses. The President says that this request cannot be granted inasmuch as Venkamma Iyer and Mooreching Ramanna, the other sharers, cannot be compelled to take three shares in one house. If at the outset

dated 17 09

sheet

Serial No

the two latter were not put in possession of entire houses, the difficulties and complications which have now arisen would perhaps not have arisen at all - In their order dated 27 8 0 Govt directed that Narasimha Pastry (petr) be given either a separate site altogether (equivalent to the value of the properties acquired from him) or compensation in money - They further directed that Venkanna Chari and Ramanna be called upon to pay up the difference between the full value of the respective houses in the new Agrahar occupied by them and the value of the shares of the original houses in the old Agrahar to which they were entitled and that if they refused, they be paid money compensation too, like the petitioner and the two vacated houses disposed of to the best advantage - ~~They have not been~~

GPB—50 000—16 5 08

Serial No

It appears from the President's letter dated 15 8 07 that Ramanna and Narasimha Sastry (petr) were agreeable to these proposals but Venkanna Char was not - Under that order, the petitioner is entitled to one full house or to money compensation and it is not understood how he can be told to file a suit against Venkanna Char and Ramanna He is bound to fail in any such suit for while losing his rights in the property which was taken away from him and demolished, he acquired none in the new houses which were constructed in place of the old ones - I do not know if it follows as a necessary consequence that because he had shares in certain old houses, portions of which were occupied by Venkanna Char and Ramanna, he acquired similar rights in the new houses occupied by them - If he has a right of

sheet

GPB—50 000—18 5 08

Serial No

action against any one, it is against the authorities who have failed to compensate him for the property taken from him -

11 - If the petitioner is willing to take one block, the two houses may be so divided as to give it to him It is not known if this was offered to the petr

29 of 1909 12 Forwarded to the Govt
9-8-09 Advocate for favour of opinion as regards the advice given by Mr Rangiengar -

H. Mylar Rao
7 8 09 for Secy -

0 5 13 I agree, with the views expressed by Mr Mylar Rao Narasimha Sastry has no cause of action against either Moorching Ramnanna or Venkanna Char On the other hand, the Municipality who took away from --- Narasimha Sastry the houses in which he held shares is bound either to restore the houses to him or -- compensate him in money or its equivalent building in the new agrahar This responsibility cannot be got rid of by a mere direction that Narasimha Sastri may sue the said Moorching Ramnanna & Venkanna Char

A Narayana Rao
12 8 Govt Advocate

sheet

GPB—50 000—18 5 08

Serial No.

Up File resubmitted with the Govt Advocate's opinion for orders

Rd. 10/8

R/P 10/8 Please put up draft in accordance with the Govt Advocate's opinion and requesting the President to be so good as to arrange to give Saravamba Shastry one full house or portions of two houses contiguous to one another so as to form one block or compensation and follow in other respects the instructions already given in G. O dated 27.8.06.

14 8 08

Draft submitted -

The work of reconstructing the Narasimharaja Agraharam was undertaken from State funds in connection with the formation of the Curzon Park. (vide L.R. 45-04 & Rd 214-04) Hence, it seems that it is Govt and not the Municipality which has to settle the claims of the parties

Rd 8/8/08 by the municipal Council

(8/8/08)

Note—Contn. sheet.

SPB—50,000—12-5-06

Serial No.

case all along acted in this matter and it seems it is the President who should hear and settle this claim.

Draft submitted
Secy) 18 8 09 Jelly

18 Make appd 18/8/09
1907

19 Approved
19/8/09

20 Issue
3 9 09 Jelly

4 21 G. O. No 2330 dated the 9th Septr 1909.

Observes that Narayanaswami has no cause of action against either Moorchina Ramanna or Venkannachari and that, on the other hand, the Munsif should look always from Narayanaswami Sastri. The houses in which the latter shares are bound to compensate him in money or give him an equivalent building in the New Agraharam, and requests the Board to

Serial No.

give Narasimha Sastri one full house or portions of two houses contiguous to one another so as to form a compact block or compensation in money as further instructions conveyed in the order of 27th Aug: 1906.

Petition C

Reg No 3412

Petitioner :- Narasimha Shastri, late Bakshi Narasaffa's Purohit residing at Nanjangud

Date of petition. —

" Receipt 17-11-08

Abstract

States that he is a claimant to one of the houses in the late Bakshi Narasaffa's Agrahara & that Mr. C. Venkat Rao, late Vice Pres^t of the Mysore City Improvement Board gave the house intended for petitioner in the newly built Agrahar to a stranger who is not entitled to it, that he has been submitting petitions to Govt on this subject since 1905 but to no effect.

Prays that as the houses in the New Agrahar are

fetching a rent of Rob. each,
that amount may be paid
to him from the date
that his house was given to
another, and order issued
to include the amount in
the suit filed for recovery
of the house

G.R.S. 26]

File No. 223
Serial No. 08

Diary No. of letter replied to 3412

No 5354
Mel 223-08
Dt 4-12-08

General and Revenue Secretariat
(Rev)
, the 190

To The President, Mysore city
Municpl Council

Date of issue 4-12-08

Signed by

Has the Honor to forward herewith Petition Reg. No 3412 received at the Govt Office. Secy from Narasimha Shastri, residing at Nanjangud, in the matter of his claim to a house in the Balekai Narasaiah Agrahar, Mysore City, for early disposal, with reference to G.O. No 3141/Mel 155-07-2327-3-08 and to request that the President will be so good as to intimate Govt the state how the matter stands at present.

By Order,
Illegible
For Secretary.
Dy 27/12/08

over

SUBJECT

Mel Govt
4/12/08

List of enclosures

Copied by

Examined by

GPB—10,000—20-4-03.

583

No 8

4

THE CITY MUNICIPAL OFFICE, MYSORE,

Dated 21st J u l y *1909*

From

M.Kantharaj Urs Esquire, B A

President, City Municipal

Commission, Mysore

ml 223-08

5l-3

To

K S Chandrasekhara Aiyar Esquire, B A ,B L

Secretary to the Govt of Mysore

General & Revenue Depts

SIR,

With reference to your docket No 5354 of the 4th December last and subsequent reminders requesting to report as to how Narasimha Sastry's claim to a house in the late Bakshi Narasappa's Agrahar stands at present, I have the honour to --- report that the attempts made to settle the claims of Narasimha Sastry out of court were to no purpose since Narasimha Sastry who agreed to take his shares in both the houses along with --- Moorching Ramanna and Venkanna Char, had failed at least, to comply with the terms of his agreement

On a careful consideration of the whole case, I think it best, as suggested by Mr Rangiengar to refer Narasim' Sastry who is the only one that is at present out of possessi of his proper shares to seek his remidy in a court of law by filing a suit against Venkanna Char and Moorching Ramanna, inas- much as, the Municipality cannot compel them to take their sha in one house thereby leaving the other house entirely to Na - -Sastry in view of the fact that shares belonging to the disput were in different houses

In these circumstances, I request that you will

Wq 337 1909.

From

President, City Muni.
Commission, Mysore.

To

Secy to Govt of Mysore,
Gen and Rev Depts.

Dated 21st July 09
Despatched 22nd
Received
General No 8
No

Enclosure No one File

Submitting her
orders connection
relating to narasimha
Sastrys claim to a house
in Bakshi narasappa's
agrahar -

B.P.W.—23-6-08—200

5

be so good as to favour me with the further instructions of Government in the matter

Mr M C Rangiengar's memo and other correspondence are herewith submitted for kind perusal and obliging return when no longer required

I have the honour to be,

sir,

your most obedient servant,

M G Kuthusamy Rao

Vice President

R V R

[R S 28]

File No. 223-08

Serial No. 4

Diary No of letter replid to 583

In file of Venkatesh

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT

(ML)

READ —

Correspondence ending with letter no 8 dated the 21st July 1909 from the Deputy Commissioner, Mysore City Municipal Council, in the matter of the claim of one Narasimhadasa to a house in Bhakshi Nara Rajaha's Agrahara in the City.

ORDER thereon 2330 - ML 223-09 - 99.9.09

Narasimha Sastri has no cause of action claim over other

SUBJECT

...re Precedent suggests ...at Narasimha Sastry referred to seek the ...propriate remedy in ...vil Court by means ...r suit against Venkama ...r and Noorchug Ramanuja ... are in possession of ...e them their hereditary ...es in two of the new Agraha... ...oes But for these facts

Date of issue 99.09

Signed by Mr K M

MGGPB—30,000—21-2-(5)

either Narrasinga Ramanna
or Venkanna Chetty. On the
other hand, the Municipality Council
who took away from Narra-
simhasastri the houses in
which he held shares are
bound either to restore the
houses to him, or to compen-
sate him in money or give an
idea equivalent building in
the New Agraharam. This
responsibility cannot be
got rid of by a mere di-
rection that Narrasimha
Sastry may use his
influencing Ramanna and
Venkanna Chetty, as suggested
by their Counsel. The
President is therefore re-
quested to arrange to give Narra-
simhasastri one full
house, or two-thirds of two
houses contiguous to one
another

ml 223-08 (3) 8

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT

(Sheet draft form.)

Extract

The President is

Mr. [illegible] Swamy"

a Compact

another to be form[illegible] in money

block or Compensation and

forfeiture in other respects the

[illegible] agreed in G.O

No. 1769

ml 569-05-6 dated the 27th Aug:

2006.

ml

Secty

29/8/07

No. The President, Mysore City

Municipality, returning the

file of papers received

with the letter [illegible]